

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

MATHEW R. BOWYER,

Defendant.

Case No. 8:24-cr-00080-JWH

[Proposed]

PRELIMINARY ORDER OF FORFEITURE

Upon consideration of the application of Plaintiff, United States of America, for a preliminary order of forfeiture pursuant to the August 9, 2024, guilty plea to counts one, two and three of the Information entered by defendant Mathew R. Bowyer ("defendant") and, good cause appearing thereon, IT IS HEREBY ORDERED:

I. FORFEITABLE PROPERTY

For the reasons set out below, any right, title and interest of defendant in the following described property (hereinafter, the "Forfeitable Property") is hereby forfeited to the United States. The Court finds that the government has established the requisite nexus between the Forfeitable Property and the offenses described in the Information, which charges defendant with operating an illegal gambling business, transactional money laundering, and subscribing to false tax returns, in violation of 18 U.S.C. §§ 1955, 2(a), 18 U.S.C.

1 §§ 1957, 2(b) and 26 U.S.C. § 7206(1). The Forfeitable Property is
2 more particularly described as:

- 3 i. \$257,923.00 in U.S. Currency seized on or about October 5,
4 2023, from defendant's residence; and
5 ii. Casino chips with a value of approximately \$14,830.00,
6 seized on or about October 5, 2023, from defendant's
7 residence (collectively, the "Forfeitable Property").

8 **II. IMPLEMENTATION**

9 IT IS FURTHER ORDERED AS FOLLOWS:

10 A. Upon the entry of this Order, and pursuant to Fed. R. Crim.
11 P. 32.2(b) (3) and 21 U.S.C. § 853, the United States Attorney General
12 (or a designee) is authorized, to the extent it has not already done
13 so, to seize the Forfeitable Property.

14 B. Upon entry of this Order, the United States is further
15 authorized to conduct any discovery for the purpose of identifying,
16 locating, or disposing of the Forfeitable Property subject to
17 forfeiture pursuant to this Order, 21 U.S.C. § 853(m) and Rule
18 32.2(b) (3) of the Federal Rules of Criminal Procedure. "Any
19 discovery" shall include all methods of discovery permitted under the
20 Federal Rules of Civil Procedure.

21 C. Upon entry of this Order (and at any time in the future
22 after amendment of the applicable order of forfeiture in this
23 matter), the United States Attorney General (or a designee) is
24 authorized to commence any applicable proceeding to comply with
25 statutes governing third party rights, including giving notice of
26 this and any other Order affecting specific property. The following
27 paragraphs shall apply to any ancillary proceeding conducted in this
28 matter:

1 1) Pursuant to 21 U.S.C. § 853(n)(1) and Supplemental
2 Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or
3 Maritime Claims and Asset Forfeiture Actions, the government shall
4 forthwith publish for at least thirty (30) consecutive days on an
5 official government website notice of this order and any other Order
6 affecting the Forfeitable Property, and notice that any person, other
7 than the defendant, having or claiming a legal interest in the
8 property must file a petition with the Court within thirty (30) days
9 of the publication of notice or receipt of actual notice, whichever
10 is earlier. The United States shall also, to the extent practicable,
11 provide written notice to any person known to have an alleged
12 interest in the Forfeitable Property.

13 2) Any person other than defendant asserting a legal
14 interest in the Forfeitable Property may, within thirty days of the
15 publication of notice or receipt of notice, whichever is earlier,
16 petition the court for a hearing without a jury to adjudicate the
17 validity of his or her alleged interest in the property, and for an
18 amendment of the order of forfeiture, pursuant to 21 U.S.C. §
19 853(n)(2).

20 3) Any petition filed by a third party asserting an
21 interest in the Forfeitable Property shall be signed by the
22 petitioner under penalty of perjury and shall set forth the nature
23 and extent of the petitioner's right, title, or interest in such
24 property, the time and circumstances of the petitioner's acquisition
25 of the right, title or interest in the property, any additional facts
26 supporting the petitioner's claim, and the relief sought. 21 U.S.C. §
27 853(n)(3).

1 4) The United States shall have clear title to the
2 Forfeitable Property following the Court's disposition of all third-
3 party interests or, if no petitions are filed, following the
4 expiration of the period provided in 21 U.S.C. § 853(n)(2) for the
5 filing of third-party petitions.

6 D. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A), this
7 Preliminary Order of Forfeiture shall become final as to defendant at
8 sentencing and shall be made part of his sentence and included in his
9 judgment.

10 E. The Court shall retain jurisdiction to enforce this Order,
11 and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).
12
13

14 _____
DATE

HONORABLE JOHN W. HOLCOMB
UNITED STATES DISTRICT JUDGE

15
16
17 Presented by:

18 /s/
19 _____
JONATHAN GALATZAN
20 Assistant United States Attorney
Chief, Asset Forfeiture &
21 Recovery Section
22
23
24
25
26
27
28